

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of M.T.B. and S.A.W., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

DENISE WELLS,

Respondent-Appellant,

and

FEDALE BEASLEY and SCOTT WELLS, SR.,

Respondents.

UNPUBLISHED

March 13, 2003

No. 243267

Ingham Circuit Court

Family Division

LC No. 00-045657-NA

Before: Griffin, P.J., and Neff and Gage, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the order of the trial court terminating her parental rights to her minor children pursuant to MCL 712A.19b(c)(i), (g), and (j). We affirm.

The trial court did not err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The children were removed from respondent-appellant's care after her drug addiction caused her to neglect them. Although respondent-appellant did participate in drug treatment, she was unable to maintain sobriety and repeatedly tested positive for cocaine use. Consequently, there was no evidence to suggest that respondent-appellant was any more able to care for the children at the time of termination than she was at the time that the children were removed from the home.

Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the best interests of the children. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The trial court therefore did not err in terminating respondent-appellant's parental rights to the children.

Affirmed.

/s/ Richard Allen Griffin

/s/ Janet T. Neff

/s/ Hilda R. Gage